

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: April 26, 2005
Public Hearing: May 17, 2005

CONTACT PERSON/PHONE: Fred Lopez, 541-4925

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00021, to allow for a planned residential development on Tract 1C1 and a portion of Tract 1D1, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: View Point Acreage, LLC.
(District 1)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR



**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

April 18, 2005

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

TO: The Honorable Mayor and City Council
Ms. Joyce A. Wilson

FROM: Fred Lopez, Planner II / Zoning Coordinator

SUBJECT: ZON05-00021

The City Plan Commission (CPC), on April 07, 2005, voted **4 - 0** to recommend **APPROVAL** of this special permit request for a planned residential development, concurring with staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request at the CPC Hearing.

STAFF REPORT

Special Use Permit #: ZON05-00021

Property Owner(s): View Point Acreage, LLC

Applicant(s): View Point Acreage, LLC

Representative(s): Brock & Bustillos, Inc.

Legal Description: Tract 1C1 and a portion of Tract 1D1, Block 10, Upper Valley Surveys

Location: Gomez Road West of Upper Valley Road

Representative District: # 1

Area: 11.21 Acres

Zoning: R-2/c (Residential/conditions)

Existing Use: Vacant

Proposed Use: Planned residential development with private streets

Recognized Neighborhood Associations Contacted: Coronado Neighborhood Association, Save The Valley, Texas Apache Nations Inc.

Surrounding Land Uses:

North -	R-2/c (Residential/conditions) / vacant
South -	R-1 (Residential) / single-family residential
East -	R-2/c/sp (Residential/conditions/special permit) / residential
West-	R-F (Ranch and Farm) / vacant

Year 2025 Designation: Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, April 07, 2005,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00021

General Information:

The applicant is requesting a special permit to allow for planned residential development with private streets. The property is 11.21 acres in size and is currently zoned R-2/c (Residential/conditions). The proposed site plan shows twenty-eight (28) single-family residential lots and one (1) lot as a private pond to be located within a portion of the proposed Ortiz Farms Unit One subdivision. Access is proposed via Gomez Road. There are zoning conditions currently imposed on this property which are attached to this report as Enclosure 1.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the **Northwest** Planning Area designates this property for **Residential** land uses.

R-2/c (Residential/conditions) zoning permits a planned residential development by special permit.

The Commission must determine the following:

- A. Will the special permit for a planned residential development protect the best interest, health, safety and welfare of the public in general?
- B. Will the special permit for a planned residential development be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No zoning comments.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

Special permit request does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

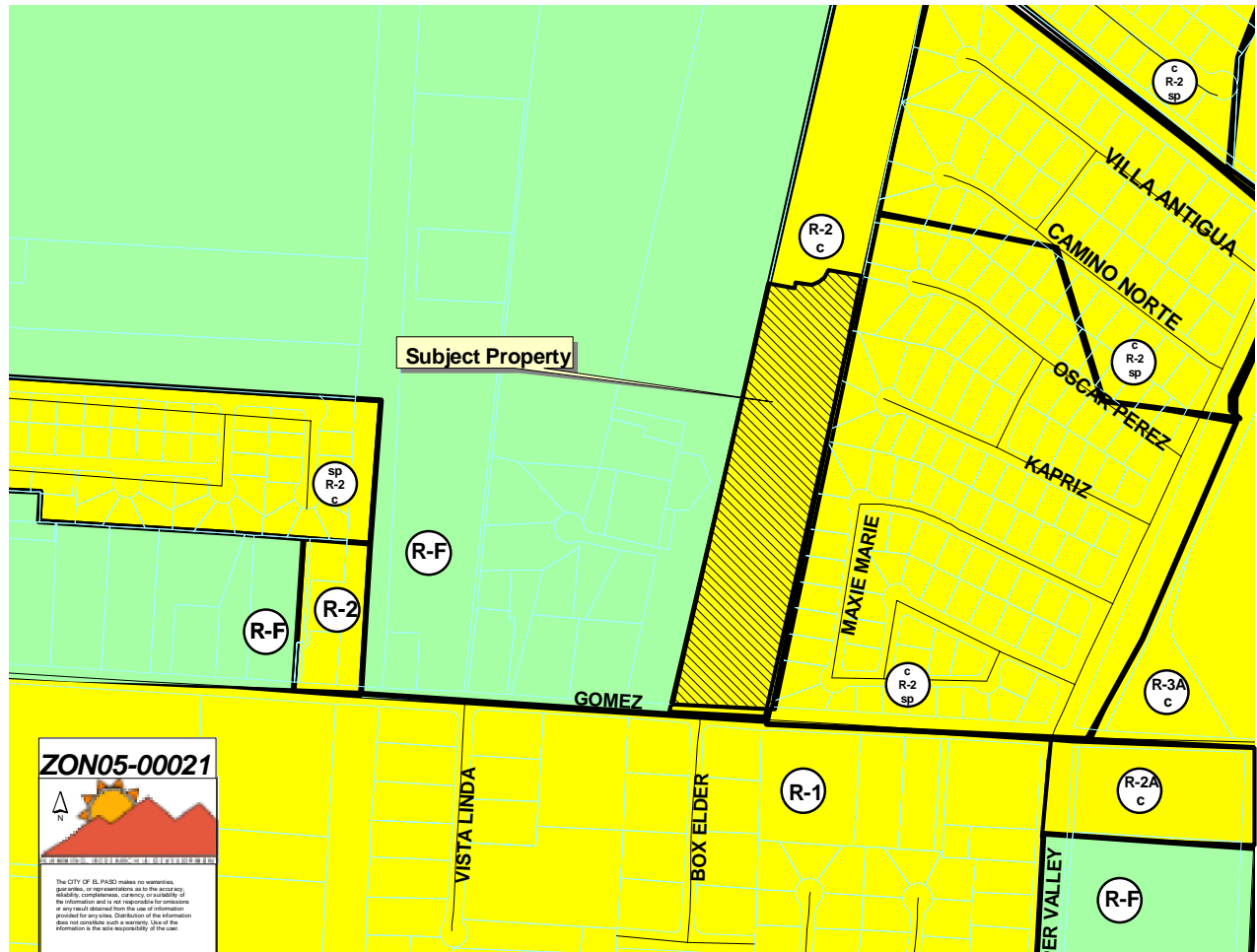
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for Residential land uses.
- B. R-2/c (Residential/conditions) zoning permits a planned residential development by special permit.

ATTACHMENT: Site Plan; Enclosure 1.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



DETAILED SITE DEVELOPMENT PLAN



ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00021, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON TRACT 1C1 AND A PORTION OF TRACT 1D1, BLOCK 10, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, View Point Acreage, LLC. has applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow for a planned residential development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **R-2/c (Residential/conditions)** District:

Tract 1C1 and a portion of Tract 1D1, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and

2. That a planned residential development is authorized by Special Permit in **R-2/c (Residential/conditions)** districts under Section 20.12.040 of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under Section 20.12.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-2/c (Residential/conditions)** district regulations and subject to the approved Site Development Plan, signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00021** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2005.


THE CITY OF EL PASO

ATTEST:

Joe Wardy
Mayor


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



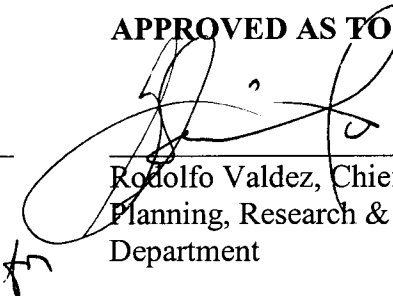
Matt Watson, Assistant City Attorney
Doc No. 11424

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

View Point Acreage, LLC., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-2/c (Residential/conditions)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2005.

By: _____
Name

Title

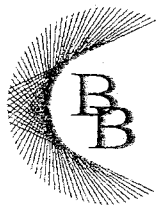
ACKNOWLEDGMENT

[illegible]

This instrument is acknowledged before me on this _____ day of _____, 2005, by _____ as _____, on behalf of **View Point Acreage, LLC.**, as Applicant.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:



BROCK & BUSTILLOS INC.

CONSULTING ENGINEERS
LAND SURVEYORS
(Formerly Faught & Associates)

ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
OSCAR V. PEREZ
Vice President - Operations
ISAAC CAMACHO, R.P.L.S.
Survey Manager

February 28, 2005

DESCRIPTION OF AN 11.209 ACRE TRACT

A tract of land situate within the corporate limits of the City of El Paso, El Paso County, Texas as Tract 1C1 and a portion of Tracts 1D1, Block 10, Upper Valley Surveys and being more particularly described as follows, to wit:

BEGINNING at a 1/2 rebar found on the north right-of-way line of Gomez Road for the southwest corner of Upper Valley Place Unit Four, as filed in Volume 79, Page 13 of the Plat Records of El Paso County, and whence a 1/2 inch rebar found for the southeast corner of said Upper Valley Place Unit Four bears **South 89°50'00" East, 967.45 feet;**

THENCE, leaving Upper Valley Place Unit Four and following the north right-of-way line of Gomez Road, **North 89°50'00" West, 313.31 feet** to a 1/2 inch rebar with survey cap No. TX 5337 set for the southwest corner of the tract herein described;

THENCE, leaving Gomez Road, **North 08°30'00" East, 1,579.27 feet** to a 1/2 inch rebar with survey cap No. TX 5337 set for the northwest corner of the tract herein described;

THENCE South 81°30'00" East, 140.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for an angle point;

THENCE North 08°30'00" East, 35.63 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for the beginning of a non-tangent curve to the left;

THENCE following the arc of said non-tangent curve to the left having a radius of **70.00 feet**, a central angle of **72°44'24"**, an arc length of **88.87 feet**, and whose long chord bears **South 82°00'59" East, 83.02 feet** to a 1/2 inch rebar with survey cap No. TX 5337 set for a point of reverse curvature;

THENCE, following the arc of a curve to the right having a radius of **20.00 feet**, a central angle of **36°53'11"**, an arc length of **12.88 feet**, and whose long chord bears **North 80°03'24" East, 12.65 feet** to a 1/2 inch rebar with survey cap No. TX 5337 set for a point of tangency;

THENCE South 81°30'00" East, 74.98 feet to a 1/2 inch rebar with survey cap No. TX 5337 set on the west boundary of Upper Valley Place Unit Three, as filed in Volume 77, Page 76 of the Plat Records of El Paso County, for the northeast corner of the tract herein

Exhibit "A"

described, identical to the northwest corner of Lot 59, Block 1, Upper Valley Place Unit Three;

THENCE, following the west boundary line of Upper Valley Place Unit Three and continuing along the west boundary line of Upper Valley Place Unit Four, **South 08°30'00" West, 1,574.24 feet to the POINT OF BEGINNING;**

Said tract contains **11.209 acres**, more or less, and is subject to easements of record.

I hereby certify that this description was prepared by me or under my supervision.

Isaac Camacho
Isaac Camacho, TX RPLS No. 5337

6379-16A

